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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,246	11/26/2003	Brett Watson-Luke	500.827US1	6047
27530 7590 04/09/2007 NELSON MULLINS RILEY & SCARBOROUGH, LLP 1320 MAIN STREET, 17TH FLOOR COLUMBIA, SC 29201			EXAMINER CHOU, ANDREW Y	
			ART UNIT 2192	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/723,246	WATSON-LUKE ET AL.	
	Examiner	Art. Unit	
	Andrew Y. Chou	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/07/2006, 7/13/2006, 5/14/2004, 3/03/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-13 have been examined. Claims 1 and 13 are the independent claims.

The priority date recognized for this application is 11/21/2003.

Information Disclosure Statement

2. The Office acknowledges receipt of the Information Disclosure Statements filed on 12/07/2006, 7/30/2006, 5/14/2006, and 3/08/2006. They have been placed in the application file and the information referred to therein has been considered by the examiner.

Oath/Declaration

3. The Office acknowledges receipt of a properly signed oath/declaration filed on 11/25/2003.

Claim Objections

4. Claims 1-4, 6-8, 12, and 13 are objected to because of the following informalities: The acronyms "OSS", "XML", and "URI" must be spelled out at least once in the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Jacobs et al. US 2004/0236853 A1 (hereinafter Jacobs).

Claim 1:

Jacobs discloses a method for managing a configuration for a plurality of OSS

components, the method comprising:

receiving a high level configuration, the high level configuration including a plurality of high level configuration items (see for example page 3, [0032], "high level building blocks");

translating the high level configuration to a low level configuration, the low level configuration including a plurality of low level configuration items (see for example page 4, [0038]);

translating the low level configuration to at least one OSS component specific configuration (see for example page 2, [0013], FIG. 2, block 232, and related text); and
sending the at least one OSS component specific configuration to at least one OSS component (see for example [0016]-[0022], FIG. 2, block 232, and related text).

Claim 2:

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Jacobs further discloses the method of claim 1, wherein the high level configuration substantially conforms to a version of XML (see for example page 2, [0011]).

Claim 3:

Jacobs further discloses the method of claim 2, wherein translating the high level configuration to a low level configuration includes applying an XML style sheet to the high level configuration (see for example page 2, [0011]).

Claim 4:

Jacobs further discloses the method of claim 1, wherein the low level configuration substantially conforms to a version of XML (see for example page 2, [0011]).

Claim 5:

Jacobs further discloses the method of claim 1, wherein each of the plurality of configuration items is identified by an identifier relative to a configuration root (see for example [0016]-[0022]).

Claim 6:

Jacobs further discloses the method of claim 5, wherein the identifier is a URI (see for example page 2, [0011]).

Claim 7:

Jacobs further discloses the method of claim 1, wherein the high level configuration includes ordering rules defining an order for updating the plurality of OSS components and wherein the OSS specific configuration is sent in accordance with the ordering rules (see for example FIG. 3, step 318, "Activation solution", and related text).

Claim 8:

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Jacobs further discloses the method of claim 1, wherein each of the plurality of configuration items have a configuration type and wherein the order for updating the plurality of OSS components is determined based on the configuration type (see for example FIG. 3, and related text).

Claim 9:

Jacobs further discloses the method of claim 1, wherein translating the high level configuration to a low level configuration includes: generating a set of partial configuration items; reconciling the set of partial configuration items against previously generated configuration items; and merging the reconciled set of partial configuration items with the low level configuration items to form a set of full item definitions (see for example FIG. 6, and related text).

Claim 10:

Jacobs further discloses the method of claim 1, wherein translating the high-level configuration to a low-level configuration includes mapping a set of high-level configuration items to a set of low-level configuration items (see for example Fig. 5, and related text).

Claim 11:

Jacobs further discloses the method of claim 1, wherein translating the high-level configuration to a low-level configuration includes filtering the set of high-level configuration items such that the filtered configuration items are not part of the set of low-level configuration items (see for example [0016]-[0022]).

Claim 12:

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Jacobs further discloses the method of claim 1, wherein the high-level configuration items represent an abstracted set of data elements for a set of OSS components and wherein the low-level configuration items represent a set of OSS-specific data elements (see for example [0016]-[0022]).

Claim 13:

Jacobs discloses a system (see for example FIG. 2, and related text) for managing a configuration for a plurality of OSS components, the system comprising:

a version control system having a version repository operable to maintain a high-level configuration having a plurality of high-level configuration items, each of said high-level configuration and high-level configuration items having a version (see for example FIG. 5, block 504a, and related text); and

a configuration server operable to receive a version of the high-level configuration and high-level configuration items for storage in a configuration database, wherein the configuration server is operable to:

translate the high level configuration to a low level configuration, the low level configuration including a plurality of low level configuration items (see for example page 4, [0038]);

translate the low level configuration to at least one OSS component specific configuration (see for example page 4, [0038]); and

send the at least one OSS component specific configuration to at least one OSS component (see for example [0016]-[0022], Fig. 6, block 602, and related text).

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Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Y. Chou whose telephone number is (571) 272-6829. The examiner can normally be reached on Monday-Friday, 8:00 am – 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached on (571) 272-3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

AYC


TUAN DAM
SUPERVISORY PATENT EXAMINER